

IN THE UNITED STATES PATENT & TRADEMARK OFFICE  
(U.S. DESIGNATED/ELECTED OFFICE)

Applicant : Spangenberg et al.  
Serial No. : 10/580,868  
International Filing Date: November 24, 2004 Conf. No. 7075  
Title : ICE RECRYSTALLISATION INHIBITION PROTEIN OR ANTIFREEZE  
PROTEINS FROM DESCHAMPSIA, LOLIUM AND FESTUCA SPECIES OF  
GRASS

**MAIL STOP PCT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

In response to the Notification of Missing Requirements mailed March 6, 2007 (copy enclosed), Applicant as a large entity submits herewith the following:

- ☒ Payment of the surcharge of \$130 for late filing of the basic filing fee and/or declaration for large entity;
- ☒ Payment of pages in excess of 100 for a large entity \$750;
- ☒ Payment of national stage search fee for a large entity \$400;
- ☒ Payment of national stage examination fee for a large entity \$200; and
- ☒ Executed Declaration by the Inventors; and
- ☒ Other: Preliminary Amendment

Transmittal of Computer Readable Form of Sequence Listing  
Sequence Listing

The fees in the amount of \$1480 for a large entity are being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization.

**CERTIFICATE OF MAILING BY EFS-WEB FILING**

I hereby certify that this paper was filed with the United States Patent and Trademark Office using the EFS - WEB system on this date: MAY 7, 2007

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050 (Ref. No. 21016-002US1).

Respectfully submitted,

Date: May 7<sup>th</sup>, 2007

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address COMMISSIONER FOR PATENTS  
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www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/580,868	German Spangenberg	21016-002US1

INTERNATIONAL APPLICATION NO.

PCT/AU04/01633

I.A. FILING DATE	PRIORITY DATE
11/24/2004	11/24/2003

26181  
FISH & RICHARDSON P.C.  
PO BOX 1022  
MINNEAPOLIS, MN 55440-1022

CONFIRMATION NO. 7075

371 FORMALITIES LETTER



\*OC000000022750327\*

Date Mailed: 03/06/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/24/2006
- Copy of the International Search Report filed on 05/24/2006
- Copy of IPE Report filed on 05/24/2006
- Copy of Annexes to the IPER filed on 05/24/2006
- Biochemical Sequence Listing filed on 05/24/2006
- Request for Immediate Examination filed on 05/24/2006
- U.S. Basic National Fees filed on 05/24/2006
- Priority Documents filed on 05/24/2006
- Specification filed on 05/24/2006
- Claims filed on 05/24/2006
- Abstracts filed on 05/24/2006
- Drawings filed on 05/24/2006
- Paper nucleotide sequence listings filed on 05/24/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$1860 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$3340** for a Large Entity:

- **\$130 Surcharge.**
  - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
  - The specification and drawings contain more than 100 pages. Applicant owes \$750 for 128 pages in excess of 100 pages for a non-small entity.
  - The application search fee has not been paid. Applicant must submit **\$400** to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
  - The application examination fee has not been paid. Applicant must submit **\$200** to complete the examination fee for a non-small entity. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
- Total additional claim fee(s) for this application is **\$ 1860**
  - **\$600** for 3 independent claims over 3.
  - **\$900** for 18 total claims over 20.
  - **\$360** for multiple dependent claim surcharge.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/580,868	PCT/AU04/01633	21016-002US1